

The Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NINTENDO OF AMERICA INC.,

Plaintiff,

v.

DOES 1-20, d/b/a, ANXCHIP.COM,  
AXIOGAME.COM, FLASHCARDA.COM,  
MOD3DSCARDS.COM, NX-CARD.COM,  
SXFLASHCARD.COM, TXSWITCH.COM,  
and USACHIPSS.COM,

Defendants.

NO. 2:20-cv-00738-TSZ

PLAINTIFF’S REPLY IN SUPPORT  
OF MOTION FOR LEAVE TO SERVE  
PROCESS BY ALTERNATIVE  
MEANS

Nintendo of America Inc. (“Nintendo”) respectfully directs the Court’s attention to the fact that Defendants have filed no opposition to the Nintendo’s motion for leave to serve process by alternative means (“Motion”), Dkt. 15. Nintendo provided Defendants with a copy of the motion—as well as the Summons and Complaint in this action—by sending it via email to the addresses that Defendants have publicly identified as the means by which to contact them, and the addresses Defendants used to communicate with Nintendo. *See* Dkt 18. For the reasons set forth in Nintendo’s motion, and in the absence of any opposition, Nintendo requests that the motion be granted.

Nintendo submits herewith a slightly revised Proposed Order reflecting the email addresses that Nintendo understands to be in continued use by Defendants. This belief is based on the evidence submitted with the Motion, on certain responses received already from various of the email addresses acknowledging receipt of the Motion, and on the absence of any “undeliverable” return messages when Nintendo sent the Motion to the email addresses contained in the attached Proposed Order. In sum, Defendants would be served with the Summons and Complaint by service to the multiple email addresses used by each Defendant contained on the Proposed Order.

DATED this 26th day of June, 2020.

Respectfully submitted,  
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